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VIA ECF

December 13, 2024

Confirmation Email to: ALCarterNYSDChambers@nysd.uscourts.gov

Hon. Andrew L. Carter, Jr., U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007

Re: *Skechers U.S.A., Inc. et al. v. Marc Fisher Holdings LLC et al.*
24-cv-06708 – Request to File Under Seal

Dear Judge Carter:

My firm represents Plaintiffs Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II (Skechers) in the above-referenced action.

Pursuant to Rule 6 of the Court's Individual Practices, Skechers respectfully submits this letter to request that the following documents be filed under seal, redacted copies of which are being filed via ECF contemporaneously with this request along with the proposed sealed document with the proposed redactions highlighted:

- Skechers' Amended Complaint; and,
- Exhibit 2: A copy of an agreement entitled "Summary of Commercial Terms" (the "Commercial Terms Agreement") involving Defendants, provided to Skechers by Defendants' counsel on the condition that Skechers treat the document as "HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL'S EYES ONLY."

The foregoing documents contain material that Defendants provided to Skechers' counsel pursuant to agreement that Skechers treat the material as "HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL'S EYES ONLY." According to Defendants' counsel, the Commercial Terms Agreement contains Defendants' highly sensitive business information. Skechers currently has no reason to dispute these representations. Skechers' Amended Complaint references and quotes the

Hon. Andrew J. Carter, Jr., U.S.D.J.
December 13, 2024
Page 2

Commercial Terms Agreement extensively and attaches the Commercial Terms Agreement as a supporting exhibit. The proposed sealed document, comprising Skechers' Amended Complaint and Exhibit 2 thereto, will be filed and electronically related to this letter in accordance with the Court's rules. *See* Individual Practices, Rule 6.C.ii.

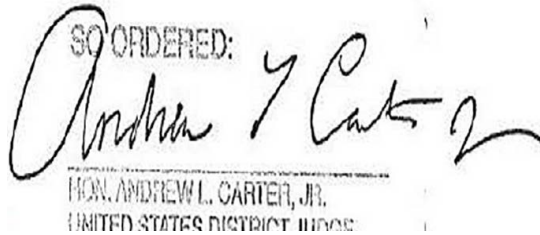
Courts in this district routinely permit parties to seal or redact confidential business materials. *See, e.g., Louis Vuitton Malletier S.A. v. Sunny Merch. Corp.*, 97 F. Supp. 3d 485, 511 (S.D.N.Y. 2015) (granting motion to seal "specific business information and strategies, which, if revealed, 'may provide valuable insights into a company's current business practices that a competitor would seek to exploit.'"); *GoSmile, Inc. v. Levine*, 769 F. Supp. 2d 630, 649 (S.D.N.Y. 2011) (granting motion to seal documents containing defendants' "highly proprietary material"). Accordingly, Skechers respectfully requests that the Court grant its request to file the above documents under seal.

Respectfully submitted,



Andrew J. Ligotti

Counsel for Plaintiffs



SO ORDERED:
Hon. Andrew L. Carter, Jr.
UNITED STATES DISTRICT JUDGE

December 20, 2024
New York, NY